

BOBBY JINDAL
GOVERNOR



MICHAEL B. MCDUFF
EXECUTIVE DIRECTOR

State of Louisiana
STATE LICENSING BOARD FOR CONTRACTORS

RECEIVED

OCT 09 2016

OFFICE OF THE
STATE REGISTER

October 9, 2015

TO: The Honorable John A. Alario, President, Louisiana State Senate
The Honorable Check Kleckley, Speaker of the House of Representative
The Honorable Daniel "Danny" Martiny, Chairman, Senate Committee on Commerce,
Consumer Protection, and International Affairs
The Honorable Kirk Talbot, Acting Chairman, House Commerce Committee
✓ Catherine Brindley, Office of the State Register

FR: Judy Dupuy, Board Administrator JD

RE: Notice of Intent on Proposed Rulemaking

In Accordance with the provisions of the Administrative Procedure Act (R.S. 49:950 et seq.) as amended, the Louisiana State Licensing Board for Contractors has submitted a Notice of Intent for rule revisions to the Contractor Licensing Law, through the authority granted in R.S. 37:2150-2192, to be published in the October, 2015 issue of the "Register." This Notice of Intent and the approved Fiscal and Economic Impact Statement are attached for your review.

If you have any questions, please feel free to contact me at 225-763-3982.

NOTICE OF INTENT

Office of the Governor Louisiana State Licensing Board for Contractors

(LAC 46:XXIX.Contractors)
Rules and Regulations Update

In accordance with the provisions of La. R.S. 49:950 et seq., which is the Administrative Procedure Act, and through the authority granted in R.S. 37:2150 - 2192, which is the Contractor Licensing Law, the Licensing Board for Contractors (LSLBC) hereby gives notice of its intent to update its rules and regulations regarding contracting matters under the jurisdiction of the LSLBC.

Title 46 PROFESSIONAL AND OCCUPATIONAL STANDARDS Part XXIX. Contractors

Chapter 15. Residential

§1515. Specialty Classifications

Any corporation, partnership, or individual who, for a price, commission, fee, wage or other compensation undertakes or offers to undertake or superintend the following work as it relates to the construction of any building or structure that is not more than three floors in height, to be used by another as a residence, where the value of work exceeds \$7,500, including labor and materials, is required to obtain a specialty classification for that work:

1. Residential Pile Driving
2. Residential Foundations
3. Residential Framing
4. Residential Roofing
5. Residential Masonry/Stucco
6. Residential Swimming Pools

Any contractor who seeks to obtain such a specialty classification must, in addition to all other application or licensing requirements, designate a qualifying party who successfully passes the Business and Law exam and the trade exam for the respective specialty.

Chapter 15. Residential

§1517. Labor Only

In lieu of obtaining a specialty classification required under §1515, a subcontractor who provides labor only and does not supply materials may obtain a subcontract-labor-only specialty classification for work performed under the direct supervision of a licensed residential building contractor. To obtain such a specialty classification, the subcontractor must:

1. Complete and submit the form prescribed by the Board for the subcontract-labor-only specialty classification;
2. Submit an affidavit (on the form prescribed by the Board for the subcontract-labor-only specialty classification) that is executed by a licensed residential building contractor who holds at least one contract with the subcontractor and that attests to the subcontractor's quality of work and character; and
3. Successfully pass the Law, Rules and Regulations exam.

Family Impact Statement

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of these proposed rules on the family has been considered. It is anticipated that these proposed rules will have no impact on family functioning, stability or autonomy as described in R.S. 49:972.

Poverty Impact Statement

In compliance with Act 854 of the 2012 Regular Session of the Louisiana Legislature, the poverty impact of these proposed rules have been considered. It is anticipated that these proposed rules will have no impact on child, individual, or family poverty in relation to individual or community asset development as described in R.S. 49:973.

Small Business Statement

The proposed rules will have a minimal impact on small businesses.

Provider Impact Statement

In compliance with House Concurrent Resolution (HCR) 170 of the 2014 Regular Session of the Louisiana Legislature, the provider impact of these proposed rules has been considered. It is anticipated that these proposed rules will have no known impact on providers of services for individuals with developmental disabilities.

Interested Persons

Interested persons may submit written comments on the proposed regulations to the Licensing Board for Contractors, attention Judy Dupuy, Board Administrator, 2525 Quail Drive, Baton Rouge, Louisiana 70808 through November 20, 2015.

Public Hearing

If it becomes necessary to convene a public hearing to receive comments, in accordance with the Administrative Procedures Act, a hearing will be held December 4, 2015 at 9:30 a.m. at the Louisiana State Licensing Board for Contractors at 2525 Quail Drive, Baton Rouge, Louisiana, 70808.

Michael McDuff
Executive Director